

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of:	)	
	)	
	)	
Broadcast Localism	)	MB Docket No. 04-233
	)	

**COMMENTS OF EDUCATIONAL STATION WEOS**

1. The volunteers and staff of Radio station WEOS respectfully submit these comments in the above-captioned proceeding. In this document, "WEOS" is used to represent all the broadcast properties of Hobart and William Smith Colleges (d/b/a Colleges of the Seneca), which include WEOS 89.7FM Geneva, New York (active Class A FM station), W212BA 90.3FM Geneva, New York (active Class D FM translator), WITH 90.1FM Ithaca, New York (unbuilt CP for a Class A FM station), and NEW 90.3FM Auburn, New York (pending "singleton" application for a Class A FM station).

I. WEOS 89.7FM is also relayed on W201CD 88.1FM Lansing (Ithaca), New York (active Class D FM translator), but that facility is not owned nor controlled by the Colleges of the Seneca.

2. The majority of the proposals supposedly advanced to increase "localism" as outlined in the "REPORT ON BROADCAST LOCALISM AND NOTICE OF PROPOSED RULEMAKING" ("NPRM") contain

extensive recordkeeping and paperwork requirements that are a particular burden to noncommercial broadcasters, like our station which has only two paid staff members. Our station is of limited financial means, and relies heavily on volunteer labor to operate. To force stations like ours to comply with the extensive requirements set out in the NPRM may well be forcing these stations to do the impossible, as we simply have no means of complying with extensive paperwork requirements. If we are forced to comply, our station may not be able to operate, or may not be able to carry programming addressing community issues for which extensive documentation is required, thereby defeating the entire purpose of the FCC's proceeding.

3. Our station already serves the public by providing unique programming to our community, and information to the students of the institution with which we are affiliated. For example, we are a National Public Radio affiliate, and our ratings indicate that we have many happy listeners to our product. Furthermore, we report and produce our own local newscasts, local sportscasts, and provide live coverage to dozens of live, local special events (symposiums, panel discussions, academic lectures, etc) every year. We also air approximately 20 hours of student-generated music programming every week, and are the host station to four, regular, weekly community-generated programs: *Stuck in the Psychedelic Era*, *Gospel Outreach*, *Metallic Onslaught*, and *Out of Bounds* (the latter being regionally distributed to other public radio stations)

4. Specifically, the following proposals would reduce our ability to produce programming of the sort envisioned by the NPRM due the amount of resources that would need to be dedicated to producing the documents and reports proposed as this work would be done by the same students and community volunteers that produce the programming who have limited time to commit to support our educational station.

- Enhanced Disclosure forms
- Placing our Public File on a web site
- Posting Renewal Application Pre- and Post-Filing Announcements on a web site
- Formation of and meetings with a Community Advisory Board
- Reporting Music Data and selection criteria

5. WEOS opposes any repeal of the rule changes that allow for unattended operation. We have organized our reasons for opposition into the following sub-groups:

I.      HARDSHIP

Repeal of these rules would effectively destroy WEOS's ability to function because of the nature of our programming.

WEOS is a mixed-use station; primarily we operate as a National Public Radio affiliate during the day. We have two full time staff

members, plus limited support in specific areas from other campus departments (such as athletics, IT/telco, etc). For a few hours each evening we have HWS student-generated programming. HWS has no communications or technical curriculum so it is difficult to recruit students to fill the existing 19-20 hours' worth of timeslots each week...and those timeslots have the allure of DJ's being able to play (mostly) whatever they want to play.

If the rules are changed to require the presence of a staff member whenever we are broadcasting (which is 24 hours a day, seven days a week), our operations would effectively cease. It would be next to impossible to recruit students to sit in the studios during the times of NPR (and related) programming to essentially "babysit" our automation system's management of satellite feeds and store-and-forward audio files of time-delayed programming. Accordingly, we would be forced to hire staff to do so, which would far exceed our budget. Worse, any staff member "tied to a desk" on "transmitter duty" would be prevented from doing many other duties that might be more relevant to providing a local broadcast service...such as news gathering, meeting with local officials and listeners, engineering an event from a remote location (typically most of our

remote broadcasts require an engineer at the *remote* end...not the *studio* end).

## II. FAILURE TO ACHIEVE GOALS

*If the goal is to improve the ability for listeners to contact a staff member and get a response to a query:*

We already have at least one live staff member in the studios/offices of WEOS from 9am to 6pm almost every weekday. Furthermore, we are usually staffed most evenings from 6pm to 12 midnight (if not 1am or 2am) thanks to student programming. The rest of the time our contact information is freely provided on the air and on the web, and our cellphone numbers are included as part of voicemail greetings. In most any emergency...save for a power outage that would take WEOS off the air anyways...we can be reached and, if necessary, remotely operate the entire system via computer remote networking. In non-emergencies, typically we respond to any listener query in less than 24 hours, if not within a few minutes.

*If the goal is to improve station response in case of an emergency:*

WEOS already goes beyond the minimums for EAS; our system is fully wired to seize control of our airwaves and transmit an emergency alert in the event of a civil emergency, weather

emergency, etc. We also monitor five sources: WHAM 1180AM (the regional Class 1A "clear channeled" AM, which has a substantial news department), WDWI 100.5FM, New York State Emergency Management Operations satellite, the local NOAA WeatherRadio, and National Public Radio's "squawk" channel (for emergency/breaking news updates and EAS alerts). While it is theoretically possible for a live person to do somewhat more in the event of an emergency, in actuality the live person would be relying heavily on these same automated systems to alert him/her to the emergency and provide details of it...thus a live person provides little real additional benefit to a properly executed EAS system. WEOS already has the systems in place to provide the immediate "heads up" to listeners in case of an emergency, and then to contact (at any time of the day or night) one of our existing staff members that further action may be needed, at which point the staff member can elect to alter programming as needed...whether in the station or operating remotely.

*If the goal is to increase programming that is relevant to local concerns and issues:*

While WEOS provides much of its programming from national program sources (National Public Radio, American Public Media,

Public Radio International, Pacifica Radio, etc), we have consistently found that these programming sources are providing material that our listeners find directly relevant to themselves and their community.

Furthermore, WEOS provides a great deal of locally-generated content, as detailed previously.

We also strive to have a collaborative relationship with other nearby broadcasters, including WXXI in Rochester, Ithaca Community Radio in Ithaca, and the Finger Lakes Radio Group in Geneva...all of which have strong news/talk components that report extensively on local and national issues. We all work together to make sure we provide programming our communities want to hear.

### III. COUNTER-PRODUCTIVENESS

If the goal of this initiative is, in general, to increase localism at all stations...WEOS believes the *opposite* will be more likely to occur. Since the economics of hiring so many "warm bodies" to sit and "babysit a transmitter" are not practical for most commercial or non-commercial stations, we suspect what many stations will be forced to do is further consolidate their studio facilities to the point

where there's essentially one person "babysitting" virtually every radio station in a market (possibly two or three dozen stations).

With so many differing outlets to monitor and manage, that one person will not be in any position to effectively handle an emergency situation. Nor will they be able to intelligently provide any sort of real feedback to a local listener inquiry, or provide meaningful local news, reporting, public affairs programming, etc to all the stations' airwaves.

6. We conclude these comments with a request to recognize that it is, by definition, impossible to enhance "localism" on the airwaves via a "one size fits all" approach. Each station in each region in each state is different, and what works perfectly for one may be disastrous for others.

Respectfully submitted,

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Date: April 28, 2008